

REMARKS

I. Status of the Application

By the present amendment, Applicant amends claims 1, 4, 8 and 11. Applicant also hereby cancels claims 2 and 3 without prejudice or disclaimer. Claims 1 and 4-13 are all the claims pending in the Application, with claims 1, 4, 8 and 11 being in independent form. Claims 1-13 have been rejected.

The present amendment addresses each point of objection and rejection raised by the Examiner. Favorable reconsideration is respectfully requested.

II. Claim Rejections Under 35 U.S.C. § 103

The Examiner has maintained his previous rejections of claims 1-13 under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent Publication No. 2003/0125871 to Cherveny et al. (hereinafter “Cherveny”) in view of U.S. Patent Publication No. 2004/0104842 to Drury et al. (hereinafter “Drury”). Applicant traverses the Examiner’s rejections for *at least* the reasons set forth below.

As an initial matter, Applicant notes that claims 2 and 3 have been canceled without prejudice or disclaimer and, therefore, the Examiner’s rejections in this regard are now moot.

With respect to the current grounds of rejection, the Examiner was not persuaded by the previous arguments advanced by Applicant in the Amendment filed on September 7, 2006 (hereinafter “the previous Amendment”) that the grounds of rejection have failed to identify a proper motivation to combine the disparate teachings of Cherveny and Drury, since a skilled artisan would not have been motivated to look outside the four corners of Cherveny for a teaching as to how to initiate an update.

In response to Applicant's previous arguments, the grounds of rejection allege that there are two different sets of updates referenced in the outstanding rejections. Specifically, the grounds of rejection allege that the first set of updates referenced involves the update of the central geographic database 20, which the Examiner acknowledges is performed at the server. Thus, the Examiner appears to agree with Applicant's previous arguments that Cherveny teaches that the statistical data analyzer 16, which is located in the central geographic data manager 10, initiates updates to the central geographic database 20.

Nevertheless, the grounds of rejection allege that paragraph 0050 of Cherveny teaches that the statistical data analyzer 16 includes a computer program that applies statistical analysis techniques that may take into account thousands or millions of sensor readings and that, the statistical data analyzer 16 thereby determines updates to the central geographic database 20 based on whether the filtered sensor data set 14 reflects statistically significant variances. (See paragraph 0050 and paragraphs 0068-0081). As such, the grounds of rejection allege that Cherveny teaches a road information updating means which updates road information stored in a server, as claimed.

In addition, the grounds of rejection respond to Applicant's previous arguments by alleging that there is a second set of updates, namely, the updating of the terminal units with the newly updated central database. Further, the grounds of rejection allege that Cherveny teaches this feature, but that Cherveny fails to teach or suggest how, exactly, the updating of the terminal units is initiated. Specifically, the grounds of rejection allege that paragraphs 0058 and 0059 of Cherveny teach that the updated central database is made available for the terminal units. Hence,

the grounds or rejection allege that such a teaching in Cherveny corresponds to the feature of wherein a map information providing system provides desired road information, as claimed.

However, the Examiner acknowledges that Cherveny is silent as to whether a terminal makes a request to the server, or the server pushes the new information to the terminals. That is, the grounds of rejection acknowledge that Cherveny fails to teach or suggest the feature of wherein said map information providing system provides desired road information in accordance with a request from at least one of said terminal units, as claimed.

Nevertheless, the grounds of rejection rely on Drury as allegedly teaching this feature. In view of these teachings, the grounds of rejection allege that it would have been obvious to one of ordinary skill in the art to combine the teachings of Cherveny and Drury to arrive at the recitations of the pending claims. The grounds of rejection allege that the motivation for doing so would be because modifying Cherveny with the teachings of Drury would provide a way to initiate the updates disclosed in Cherveny.

Applicant respectfully disagrees with the grounds of rejection.

A. Independent Claim 1

Nevertheless, without conceding the merits of the Examiner's rejections, and merely in an effort to expedite prosecution of the present application, Applicant has amended claim 1, as set forth above, to recite (among other things):

...wherein, when a vehicle travels off a route on a road map displayed on at least one of said terminal units, said at least one of said terminal units sends a current position to said server.

Support for the above amendments can be found on *at least* page 20, lines 6-9 of the present specification. No new matter has been added.

Applicant respectfully submits that neither Cherveny, Drury, nor any combination thereof, teaches or suggests the above features. In stark contrast to the requirements of claim 1, Cherveny merely teaches that the data collection vehicle 50(1) includes one or more sensor devices 60 which, in turn, output data 54 as the vehicle moves around the geographic region 47. Paragraph 0036. Cherveny also teaches that the output 54 from the sensor devices 60 is provided to the vehicle computing system of the data collection system 39(1), which is included within the data collection vehicle 50(1) itself.

However, Cherveny fails to provide any teaching or suggestion whatsoever that, when a data collection vehicle 50(1) travels off a route on a road map displayed on a terminal unit, said terminal unit sends a current position to a server, as claimed. Therefore, Applicant submits that claim 1 is patentable over the cited references for *at least* these reasons and respectfully requests that the Examiner withdraw this rejection.

B. Independent Claim 4

Independent claim 4 recites (among other things):

...wherein, when a vehicle travels off a route on a road map displayed on at least one of said terminal units, said at least one of said terminal units sends a present location to said server.

In view of the similarity between these requirements and the requirements discussed above with respect to independent claim 1, Applicant respectfully submits that arguments

analogous to the foregoing arguments as to the patentability of independent claim 1 demonstrate the patentability of claim 4. As such, it is respectfully submitted that claim 4 is patentably distinguishable over the cited references *at least* for reasons analogous to those presented above. Further, Applicant submits that the dependent claims 5-7 are allowable *at least* by virtue of their dependency on claim 4. Thus, the allowance of these claims is respectfully solicited of the Examiner.

C. Independent Claim 8

Independent claim 8 recites (among other things):

... wherein, when a vehicle travels off a route on a road map displayed on at least one of said terminal units, said at least one of said terminal units sends a present location to said server.

In view of the similarity between these requirements and the requirements discussed above with respect to independent claim 1, Applicant respectfully submits that arguments analogous to the foregoing arguments as to the patentability of independent claim 1 demonstrate the patentability of claim 8. As such, it is respectfully submitted that claim 8 is patentably distinguishable over the cited references *at least* for reasons analogous to those presented above. Further, Applicant submits that the dependent claims 9-10 are allowable *at least* by virtue of their dependency on claim 8. Thus, the allowance of these claims is respectfully solicited of the Examiner.

D. Independent Claim 11

Independent claim 11 recites (among other things):

...wherein, when a vehicle travels off a route on a road map displayed on at least one of said terminal units, said at least one of said terminal units sends a present location to said server.

In view of the similarity between these requirements and the requirements discussed above with respect to independent claim 1, Applicant respectfully submits that arguments analogous to the foregoing arguments as to the patentability of independent claim 1 demonstrate the patentability of claim 11. As such, it is respectfully submitted that claim 11 is patentably distinguishable over the cited references *at least* for reasons analogous to those presented above. Further, Applicant submits that the dependent claims 12-13 are allowable *at least* by virtue of their dependency on claim 11. Thus, the allowance of these claims is respectfully solicited of the Examiner.

III. Conclusion

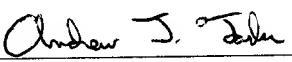
In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Appln. No.: 09/899,088

Attorney Docket No. Q65341

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Andrew J. Taska
Registration No. 54,666

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE
23373
CUSTOMER NUMBER

Date: February 16, 2007